



Docket No. 44342.011500

#13/E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tohru FUSHIKI et al.

U.S. SERIAL NO.: 09/367,481

ART UNIT: 1651

FILED: August 13, 1999

EXAMINER: Coe, S.

FOR: ATHLETIC ENDURANCE INCREASING AGENT

NOT ENTERED

Assistant Commissioner of Patents
Washington, D.C. 20231

**PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b) AND DECLARATION UNDER
37 C.F.R. 1.132**

Sir:

In response to the USPTO Notice of Abandonment mailed on January 26, 2001, Applicant submits the attached Petition to Revive an Application Unintentionally Abandoned under 37 C.F.R. 1.137(b) and requests reconsideration of the above identified patent application in view of the following amendments, remarks, and Declaration under 37 C.F.R. 1.132.

AMENDMENT

IN THE CLAIMS:

Please cancel claims 32-39 without prejudice or disclaimer of the subject matter recited therein, and add new claims 40 and 41.

~~24.~~ A method of enhancing exercise endurance in a subject undertaking exercise comprising administering to the subject a composition comprising (-)-hydroxycitric acid or a lactone form thereof, or a salt thereof, as active ingredient.

RECEIVED

MAY 15 2001

OFFICE OF PETITIONS

*Not Entered -
Amendment
re iterated
from Paper
No. 10*